

**This order is SIGNED.**

**Dated: December 4, 2018**

  
KEVIN R. ANDERSON  
U.S. Bankruptcy Judge



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**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF UTAH**

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In re:

BRETT JASON HAZLETT,

Debtor.

Bankruptcy Number: 16-30360

Chapter 7

Hon. Kevin R. Anderson

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**ORDER GOVERNING SCHEDULING AND DEADLINES ON MOTION  
FOR SUMMARY JUDGMENT (DOCKET NO. 126) SET FOR  
HEARING ON JANUARY 4, 2019 AT 10:00 A.M.**

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On November 13, 2018 the Court held a status conference on the United States Trustee's Motion: (1) For the Cancellation of Attorney Fee Agreements Under 11 U.S.C. § 329 and Local Rule 2091-1; (2) For Sanction Under Local Rules 2090-3, 2091-1(a) and 5005-2(c); (3) For Sanctions and Other Relief Under 11 U.S.C. § 526; and Memorandum in Support (Docket No. 61) (the "UST's Motion") and the Debtor's Motion for Sanctions and Memorandum in Support (Docket No. 27) (the "Debtor's Motion"). Peter Kuhn appeared on behalf of the United States Trustee (the "UST"). Russell B. Weekes appeared on his own behalf and on behalf of Capstone

Law, LLC (collectively “Weekes”). Tessa Santiago appeared on behalf of the Debtor, Brett Jason Hazlett.

Pursuant to the hearing, the Court entered an Order Re: Status Conference Held November 13, 2018 setting filing, response, and reply deadlines on Weekes’ Motions for Summary Judgment and a hearing on the same for January 4, 2019 at 10:00 a.m. Despite the parties agreeing to certain deadlines at the hearing on November 13, 2018 and agreeing to the hearing on January 4, 2019, the following filings have complicated the hearing set for January 4, 2019:

- a. On November 20, 2018 Weekes filed a Notice of Withdrawal of the Motion for Summary Judgment as to the Debtor’s Motion (Docket No. 120).
- b. Weekes filed a Motion for Summary Judgment (Docket No. 126) as to the UST’s Motion on November 20, 2018.
- c. Weekes filed an Objection to Debtor’s Amended Motion for Sanctions (Docket No. 128) on November 20, 2018.
- d. Weekes filed another Objection to Debtor’s Amended Motion for Sanctions (Docket No. 132) on December 3, 2018.
- e. Weekes, the Debtor, and the UST filed an Ex-Parte Stipulation and Joint Motion to Modify Order Re: Status Conference Held November 13, 2018 (Docket No. 130) seeking an extension of the deadlines to respond and reply to Weekes’ Motion for Summary Judgment (Docket No. 126) as to the UST’s Motion on November 30, 2018.

Based on the foregoing and for good cause appearing, the Court **HEREBY ORDERS:**

1. Other than the response and reply set forth herein, **no parties may file further pleadings with the Court** prior to the hearing set for January 4, 2019 at 10:00 a.m. without prior Court approval. To obtain Court approval to file a pleading, the parties may contact Chambers at 801-524-6631.
2. Weekes has withdrawn the Motion for Summary Judgment (Docket No. 120) as to the Debtor's Motion. Therefore, no motion for summary judgment filed by Weekes against the Debtor's Motion for Sanctions will be heard on January 4, 2019.
3. The **only** matter to be heard on January 4, 2019 at 10:00 a.m. is Weekes' Motion for Summary Judgment (Docket No. 126) against the UST's Motion.
4. The UST shall file a response to Weekes' Motion for Summary Judgment (Docket No. 126) no later than **December 11, 2018**. Weekes may file a reply no later than **December 17, 2018**.
5. The Court will set a status conference on the UST's Motion (Docket No. 61) and the Debtor's Motion (Docket No. 27) after Weekes' Motion for Summary Judgment (Docket No. 126) against the UST's Motion is resolved.

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**DESIGNATION OF PARTIES TO RECEIVE NOTICE**

Service of the foregoing **ORDER GOVERNING SCHEDULING AND DEADLINES ON MOTION FOR SUMMARY JUDGMENT (DOCKET NO. 126) SET FOR HEARING ON JANUARY 4, 2019 AT 10:00 A.M.** shall be served to the parties and in the manner designated below.

**By Electronic Service:** I certify that the parties of record in this case as identified below, are registered CM/ECF users:

- Leah J. Aston lja@lincolnlaw.com
- Laurie A. Cayton tr laurie.cayton@usdoj.gov,  
James.Gee@usdoj.gov;Lindsey.Huston@usdoj.gov;Suzanne.Verhaal@usdoj.gov
- Kenneth A. Rushton tr KRus8416@aol.com, UT01@ecfcbis.com
- Tessa Meyer Santiago tms@lincolnlaw.com, lincolnlaw.tms@gmail.com
- United States Trustee USTPRegion19.SK.ECF@usdoj.gov
- Russell B. Weekes ecf@capstonelaw.net

**By U.S. Mail:** In addition to the parties of record receiving notice through the CM/ECF system, the following parties should be served notice pursuant to Fed. R. Civ. P. 5(b).

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Orem, UT 84058  
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